

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

FRANK C. THERRELL AND MARIE C. THERRELL

PLAINTIFFS

V.

CIVIL ACTION NO. 1:06cv151-LTS-RHW

STATE FARM FIRE AND CASUALTY COMPANY

DEFENDANT

ORDER

This case is set for trial this upcoming Monday, August 6, 2007. The Plaintiffs have submitted deposition excerpts of testimony from State Farm management personnel that they intend to introduce at trial, and State Farm's counsel has had the opportunity to offer objections.

The following objections are **SUSTAINED** as to the deposition of David Haddock:

Page 90, lines 14-23; and Page 91, lines 1-19 (the objection was based on relevancy as to what the witness might expect someone else to know).

Page 167, within lines 4-23, the question beginning with "Would it be good policy of State Farm that the first time the policyholder learns . . . ?" (the objection was based on relevancy and the witness indicated he could not speak for State Farm on a hypothetical question).

Page 181, within lines 2-23, the question beginning with "If policy had been implemented correctly . . . ?" (objection based on relevancy to this particular cause of action).

The remainder of the objections to the deposition of David Haddock are **OVERRULED**.

The following objection is **SUSTAINED** as to the deposition of Mark Drain:

Page 105, within lines 4-14, the question reading "And that is, in effect, U.S. taxpayers' money?" (any probative value is outweighed by the danger of unfair prejudice, confusion of the issues, or misleading the jury).

The remainder of the objections to the deposition of Mark Drain are **OVERRULED**.

All objections to the depositions of Brenda Emmons and Ryan Murphy are **OVERRULED**.

SO ORDERED this the 3rd day of August, 2007.

s/ L. T. Senter, Jr.
L. T. SENTER, JR.
SENIOR JUDGE